

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

NATIONWIDE MUTUAL INSURANCE)
COMPANY,)
)
Plaintiff,)
)
vs.)
)
CLYDE PATE III,)
)
Defendant,)

Case No. 4:11 CV 1733 RWS

MEMORANDUM AND ORDER

Plaintiff has filed a Motion for Default Judgment [#7] under Rule 55 of the Federal Rules of Civil Procedure. Defendant has not filed an answer or otherwise responded within the time allotted under Rule 12 of the Federal Rules of Civil Procedure and the Clerk's Entry of Default was entered on January 3, 2012.

However, Plaintiff has not filed documentation from which I can determine whether the \$14,256.44 in attorneys fees Plaintiff seeks is reasonable. The Exhibits filed in support of Plaintiff's Motion seeks attorneys fees for 31.1 hours expended by a Principal and 35.5 hours expended by an Associate. The current record does not provide a basis for me to determine whether the hours sought in Plaintiff's request are reasonable under the circumstances presented in this case. As a result, Plaintiff's Motion for Default Judgment will be denied without prejudice.

IT IS HEREBY ORDERED that Plaintiff's Motion for Extension of Time [#6] is

GRANTED and Plaintiff's Motion for Default Judgment [#7] is **DENIED** without prejudice.

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL

UNITED STATES DISTRICT JUDGE

Dated this 21st day of February, 2012.